

EXHIBIT A

BROWN REPLY DECLARATION ISO APPLE'S MOTION FOR SUMMARY JUDGMENT

Deposition of Ed Catmull

In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION
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6 IN RE: HIGH-TECH EMPLOYEE)
7 ANTITRUST LITIGATION)
8) No. 11-CV-2509-LHK
9 THIS DOCUMENT RELATES TO:)
10 ALL ACTIONS.)
11 _____)
12
13

14 CONFIDENTIAL - ATTORNEYS' EYES ONLY
15 VIDEO DEPOSITION OF ED CATMULL
16 January 24, 2013
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19 REPORTED BY: GINA V. CARBONE, CSR NO. 8249, RPR, CCRR
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01:41:53 1 typically people who -- like in animation case, a person
01:41:59 2 who was an animator. So they're not the recruiting
01:42:06 3 department, they're actually the people in the
01:42:08 4 department.

01:42:09 5 Q. And how many different departments had hiring
01:42:11 6 managers at Pixar?

01:42:12 7 A. No idea.

01:42:20 8 Q. Well, how many departments were there within
01:42:22 9 Pixar who might have had hiring managers? Are we
01:42:25 10 talking about dozens or are we talking about a handful?

01:42:28 11 A. I don't know the number. I really don't. I
01:42:30 12 just don't know what the number is.

01:42:33 13 Q. Who would I ask that would know the answer to
01:42:35 14 that question?

01:42:39 15 A. Lori. But hiring managers, it's not even the
01:42:41 16 term that I frequently use. I'm just assuming that any
01:42:45 17 department, if they have to get somebody then somebody
01:42:48 18 is responsible for filling the position and that's the
01:42:50 19 hiring manager. So I don't know what that number is.

01:42:56 20 Q. I understand you don't know the number of how
01:42:58 21 many hiring managers there might have been at any one
01:43:01 22 time, but was Pixar divided up into departments that you
01:43:05 23 can tell me how many departments would have been
01:43:07 24 involved?

01:43:08 25 A. No. There is a flux in time even

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01:43:10 1 organizationally. Because while there is some solidity,
01:43:15 2 say, across the company, the productions themselves are
01:43:21 3 continually reforming and disbanding. As well as there
01:43:26 4 are groups that will form, like, we'll make a DVD group,
01:43:29 5 or we'll reorganize a group to handle a particular
01:43:33 6 function because it's become more important or disband
01:43:36 7 others that have become less important. That's in
01:43:39 8 continual flux.

01:43:41 9 Q. Okay. Let's move on to Apple, and let's start
01:43:43 10 with Exhibit 419.

01:43:45 11 (Whereupon, Exhibit 419 was marked for
01:43:45 12 identification.)

01:43:55 13 MR. HEIMANN: Q. Before we get to the
01:43:56 14 document, let me ask you generally, did you have any
01:43:58 15 sort of understanding or agreement with Apple
01:44:01 16 restricting, in any way, recruiting, either out of
01:44:04 17 Apple or out of Pixar?

01:44:09 18 A. Well, because Steve was the CEO, and we had
01:44:12 19 also a few technical exchanges, I was certainly
01:44:19 20 cognizant of the fact that Steve, who was -- who I did
01:44:23 21 report to, so I didn't want to do anything to disrupt
01:44:26 22 what they were doing. But it was more of the sort that,
01:44:33 23 you know, it would just -- was obvious to me. I don't
01:44:35 24 know that I did anything explicit.

01:44:40 25 Q. I'm not understanding your answer here. I

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01:44:43 1 misheard you. You say well, because Steve was the CEO

01:44:45 2 and we also had a few, and then you used a term --

01:44:49 3 MS. HENN: Technical.

01:44:50 4 THE WITNESS: Technical interchanges with

01:44:51 5 Apple.

01:44:52 6 MR. HEIMANN: Q. Okay. So -- okay. But

01:44:56 7 the question is, did you have any explicit

01:44:58 8 understandings or agreements with Apple that limited

01:45:04 9 recruiting, either one way or the other? Either out

01:45:06 10 of Apple or out of Pixar?

01:45:08 11 A. I don't recall an explicit one, but I will say

01:45:11 12 there were implicit ones. That is, I would not have

01:45:15 13 wanted to do something which would be disruptive, and

01:45:18 14 likewise him with us.

01:45:21 15 Q. Well, do you recall any discussions with

01:45:24 16 Mr. Jobs about that subject?

01:45:26 17 A. On a case-by-case basis, I think -- let's see.

01:45:35 18 I can only think of one, it was actually an Apple

01:45:38 19 employee that wanted to come to Pixar, and so Steve told

01:45:44 20 me that he wasn't that good. But that was a -- from a

01:45:52 21 reference judgment, not a prohibition.

01:45:55 22 Q. So let me ask this question: In fact, didn't

01:45:57 23 you have an understanding with Mr. Jobs that you would

01:45:59 24 not even attempt to hire anybody out of Apple without

01:46:02 25 getting his explicit prior approval?

1 I, Gina V. Carbone, Certified Shorthand
2 Reporter licensed in the State of California, License
3 No. 8249, hereby certify that the deponent was by me
4 first duly sworn and the foregoing testimony was
5 reported by me and was thereafter transcribed with
6 computer-aided transcription; that the foregoing is a
7 full, complete, and true record of said proceedings.

8 I further certify that I am not of counsel or
9 attorney for either of any of the parties in the
10 foregoing proceeding and caption named or in any way
11 interested in the outcome of the cause in said caption.

12 The dismantling, unsealing, or unbinding of
13 the original transcript will render the reporter's
14 certificates null and void.

15 In witness whereof, I have hereunto set my
16 hand this day: January 28, 2013.

17 X Reading and Signing was requested.

18 Reading and Signing was waived.

19 Reading and signing was not requested.

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GINA V. CARBONE

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CSR 8249, RPR, CCRR

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